Docket No : SPIEGEL-8 Appl. No.: 10/597.999

REMARKS

With regard to the requirement for restriction, applicant hereby provisionally elects to prosecute Group II, covering claims 29-39, and reserves the right to file a divisional application or to take such other appropriate measures as deemed necessary to protect the invention of Group I and III.

With regard to the requirement for election, required by the Examiner as a consequence of the election of the invention of Group II, Applicant hereby provisionally elects the species C as depicted in Fig. 4 as covered by claims 29-33, 34 and 36 with at least claim 29-31 being generic.

Applicant's election is made without traverse. As noted by the Examiner. upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species, provided that all claims to all additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. §1.141.

With regard to claims 32-35 and 37-39 constituting the other species. applicant does not waive any of his rights therefor or abandon such subject matter.

Since applicant has fully and completely responded to the Official Action and has made the required election, this application is now in order for early action at least on the merits of claims

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 06-0502.

Bv:

Respectfully submitted.

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Date: October 1, 2010 708 Third Avenue Suite 1501 New York, N.Y. 10017

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